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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/830,028	08/15/2001	Markku Verkama	P279295	9392
909	7590	02/01/2006	EXAMINER	
PILLSBURY WINTHROP SHAW PITTMAN, LLP			IQBAL, KHAWAR	
P.O. BOX 10500			ART UNIT	
MCLEAN, VA 22102			PAPER NUMBER	
			2686	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/830,028

Applicant(s)

VERKAMA, MARKKU

Examiner

Khawar Iqbal

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-12, 14-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Tseng et al (6172974).

3. Regarding **claim 1** Tseng et al teaches a digital telecommunication system comprising (figs. 1-4):

a first center (12A) configured to enable speech communication between a plurality of terminals, the first center being associated with a calling terminal (20) and including a first transcoder unit (col. 4, lines 35-56);

a second center (12B) that is configured to enable speech communication between a plurality of terminals, the second centre being associated with a called terminal and including a second transcoder unit (col. 4, 35-56),

wherein the first and second transcoder units each include speech codecs and each of the terminals comprises one or more speech codecs, each including an encoder unite and a decoder unite (col. 7, 1-46, col. 9, lines 40-60), the terminals being arranged

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to provide information regarding the supported one or more speech codecs to their associated switching centers (col. 7, 1-46, col. 9, lines 40-60);

the first centre is configured to perform handshaking with the second center, the handshaking including indication of the speech codec supported by the calling terminal (col. 7, 1-46, col. 9, lines 40-60) wherein at least one of the first and second centres is configured to choose the speech codec used commonly by the calling and called terminals (col. 7, 1-46, col. 9, lines 40-60, table 1), and wherein at least one of the first and second centres is configured to establish call connections that bypass one or more of the transcoder units or to control the transcoder units to transmit encoded speech between the called and calling terminals without performing speech encoding operations so that speech is encoded and decoded only in the terminals (col. 4, lines 35-56, col. 7, 1-46, col. 9, lines 40-60).

Regarding claim 2 Tseng et al teaches wherein the telecommunication system is a mobile communication system in which the terminals include mobile stations, and the telecommunication system further comprises a mobile communication network and at least one of the first and second centres is a mobile switching center (col. 4, 35-56, col. 7, 1-46, col. 9, lines 40-60).

Regarding claim 3 Tseng et al teaches wherein: the mobile switching centre includes a subscriber database configured to maintain subscriber data associated with a mobile subscriber, and the subscriber data includes information indicating the speech codecs supported by a mobile station associated with the mobile subscriber (col. 4, lines 35-56, col. 7, 1-46, col. 9, lines 40-60).

Regarding **claim 4** Tseng et al teaches wherein the handshaking is performed as outband signaling (col. 4, lines 35-56, col. 7, 1-46, col. 9, lines 40-60).

Regarding **claim 5** Tseng et al teaches wherein the first and second centres are configured to perform the handshaking in association with a routing information inquiry issued in response to a determination that the called terminal is a mobile subscriber (col. 4, lines 35-56, col. 7, 1-46, col. 9, lines 40-60).

Regarding **claim 6**, Tseng et al teaches information associated with the speech codecs supported by the calling terminal, the second centre is configured to select a speech codec to be associated with the call connection which the calling and called terminals are configured to support, and the second centre is configured to send information associated with the speech codec associated with the call connection in a reply message to the routing information inquiry (col. 4, lines 35-56, col. 7, 1-46, col. 9, lines 40-60).

Regarding **claim 7** Tseng et al teaches the first center is configured to send the routing information inquiry including information associated with the speed coded sported by the calling terminal (col. 4, lines 35-56, col. 7, 1-46, col. 9, lines 40-60).

Regarding claim 8 Tseng et al teaches wherein the first and second centres are configured to perform the handshaking in association with inter-MSC signaling (col. 4, lines 35-56, col. 7, 1-46, col. 9, lines 40-60).

Regarding claim 9 Tseng et al teaches the first centre is configured to send a message requesting connection set-up, the message including information indicating, the speech codecs supported by the calling terminal (col. 4, lines 35-56, col. 7, 1-46,

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col. 9, lines 40-60), the second centre is configured to select a speech codec associated with the call connection which both the called and calling terminals are configured to support, and the second centre is configured to send information associated with the codec associated with the call connection, in a reply message to the connection set-up message (col. 4, lines 35-56, col. 7, 1-46, col. 9, lines 40-60).

Regarding **claim 10** Tseng et al teaches wherein, when required, at least one of the first and second centre is configured to notify the associated of the speech codec it has to use as the result of the handshaking (col. 4, lines 35-56, col. 7, 1-46, col. 9, lines 40-60).

Regarding **claim 11** Tseng et al teaches wherein, when required, at least one of the first and second centre is configured to notify the associated of the speech codec it has to use if it is not a default speech codec associated terminal (col. 4, lines 35-56, col. 7, 1-46, col. 9, lines 40-60).

Regarding **claim 12** Tseng et al teaches wherein a pulse code modulated digital link exists between the first and second centres, and the first and second centres are configured to control their respective transcoder units to adapt an encoded speech signal to one or more least significant bits of PCM samples without transcoding (col. 4, lines 35-56, col. 7, 1-46, col. 9, lines 40-60).

Regarding **claim 14** Tseng et al teaches a centre in a digital telecommunication network configured to receive information regarding supported one or more speech codecs of a calling terminal and connect a transcoder located in a transcoder unit to a call connection when required, wherein (figs. 1-4):

the centre is configured to perform handshaking with another centre associated with a called terminal (col. 4, lines 35-56, col. 7, 1-46, col. 9, lines 40-60), the handshaking including indication of speech codecs supported by the calling terminal associated with the centre (col. 4, lines 35-56, col. 7, 1-46, col. 9, lines 40-60), the centre also being configured to choose the speech codec commonly used by the terminals (col. 4, lines 35-56, col. 7, 1-46, col. 9, lines 40-60), and the centre is configured to connect a call connection that bypasses the transcoder unit or to control the transcoder unit to transmit the encoded speech without performing speech encoding operations in such a way that speech encoding and decoding are only performed in the calling or called terminal (col. 4, lines 35-56, col. 7, 1-46, col. 9, lines 40-60).

Regarding **claim 15** Tseng et al teaches mobile switching center, (MSC/BSC) signaling is ISUP (see fig. 2).

Regarding **claim 16** Tseng et al teaches mobile switching center, (MSC/BSC) signaling is ISUP setup is an IAM (see fig. 2).

Regarding **claim 17** Tseng et al teaches mobile switching center, (MSC/BSC) signaling is ISUP setup is an IAM and ANM message (see fig. 2).

Claims 1-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Valentine et al (6600740).

Regarding **claim 1** Valentine et al teaches a digital telecommunication system comprising (figs. 1-4):

a first center configured to enable speech communication between a plurality of terminals, the first center being associated with a calling terminal and including a first

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transcoder unit (col. 2, lines 25-56,, col. 4, lines 36-65, col. 5, lines 10-65,col. 7, lines 25-41);

a second center that is configured to enable speech communication between a plurality of terminals, the second centre being associated with a called terminal and including a second transcoder unit (col. 2, lines 25-56,col. 4, lines 36-65, col. 5, lines 10-65,col. 7, lines 25-41),

wherein the first and second transcoder units each include speech codecs and each of the terminals comprises one or more speech codecs, each including an encoder unite and a decoder unite (col. 2, lines 25-56,col. 4, lines 36-65, col. 5, lines 10-65,col. 7, lines 25-41), the terminals being arranged to provide information regarding the supported one or more speech codecs to their associated switching centers (col. 2, lines 25-56,col. 4, lines 36-65, col. 5, lines 10-65,col. 7, lines 25-41);

the first centre is configured to perform handshaking with the second center, the handshaking including indication of the speech codec supported by the calling terminal (col. 2, lines 25-56, col. 4, lines 36-65, col. 5, lines 10-65,col. 7, lines 25-41) wherein at least one of the first and second centres is configured to choose the speech codec used commonly by the calling and called terminals (col. 2, lines 25-56,col. 4, lines 36-65, col. 5, lines 10-65,col. 7, lines 25-41), and wherein at least one of the first and second centres is configured to establish call connections that bypass one or more of the transcoder units or to control the transcoder units to transmit encoded speech between the called and calling terminals without performing speech encoding operations so that

speech is encoded and decoded only in the terminals (col. 2, lines 25-56,,col. 4, lines 36-65, col. 5, lines 10-65,col. 7, lines 25-41).

Regarding **claim 13** Valentine et al teaches the system configured to support packet link (col. 6, lines 11-15).

Response to Arguments

4. Applicant's arguments with respect to claims 1-17 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Khawar Iqbal whose telephone number is (571) 272-7909.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Marsha D. Banks-Harold can be reached on (571) 272-7905. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 703-305-3028.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.


CHARLES APPIAH
PRIMARY EXAMINER